

TOWN OF FENWICK ISLAND, DELAWARE

Minutes of the February 27, 2015 Regular Council Meeting

Call to Order and Flag Salute at 3:30 p.m. by Mayor Serio

Council in Attendance: Gene Langan, Diane Tingle, Bill Weistling, Audrey Serio, Gardner Bunting, Roy Williams, Todd Smallwood

Staff in Attendance: Town Manager Burke, Administrative Clerk Massey, Building Official Schuchman, Public Works Supervisor Reed, Police Chief Boyden

PRESIDENT'S REPORT

The Council wanted to congratulate Cpl. Stephen Majewski on receiving the 2015 Joshua M. Freeman Overall Valor Award. Cpl. Majewski won the award for going above and beyond the call of duty, as he displayed selflessness during a regular traffic stop that compounded into a high-speed, multi-car collision in which he was injured.

TOPICS FOR DISCUSSION AND POSSIBLE ACTION

- Sea Level Rise Vulnerability Assessment – Kyle Gulbranson, AECOM – URS has been working on a Sea Level Rise Vulnerability Study for the Town of Fenwick Island. A public workshop was held in November 2014 when the mapping part of the process was completed. Mr. Gulbranson's recommendation report was presented with the findings (draft documents presented for review). Mr. Gulbranson stated the need for the Sea Level Rise Vulnerability Assessment became evident after the damage sustained from Sandy, which was more than any Town in Delaware. The area has seen increased storm damage and an increase frequency of storm related events. One of the key goals is to preserve the Town for current and future residents and to protect the Town's character as it deals with sea level rise issues. Mr. Gulbranson stated there are two contributing causes to sea level rise. One is thermal expansion and the other is melting ice caps. Projected sea level rise for the year 2100, is estimated to be between one and five feet. Complete report posted on Town's website, *Sea Level Rise and Vulnerability Study – Town of Fenwick Island*.
- Council Member Weistling asked about Seal Island. Mr. Gulbranson stated that restoration of Seal Island would be a large undertaking and the State would have to be involved and probably the Federal Government. This would have a lot of benefits with the wave break for the Town and would be beneficial. Grant money for a restoration project would be more available than a quick fix project. The Town should start with DNREC and the Center for Inland Bays for assistance/ information.
- Council Member Tingle, asked according to elevation, is Fenwick Island the only Town that's mostly in a flood plain. Mr. Gulbranson stated that along the Atlantic Coast, Fenwick Island is the lowest spot from the tip of Cape Henlopen down to the Maryland line.
- Public Questions:
 - Mike Quinn – 5 W. Houston stated that the Yacht Club approached the State about restoration of Seal Island and they were refused. He asked "Why do you think we might get aid

assistance now?” Mr. Gulbranson stated the sea level rise is a very hot topic and the State is looking for resources to assist any way it can.

- Susan Love, Planner with the Delaware Coastal Programs in DNREC, stated that it often depends when one asks the State for resources. It also depends on who one is asking at the state level. The state has lots of groups that don’t always talk to each other. The Army Corps of Engineers has just completed a study of the Northeast which concluded that along the Atlantic seaboard the flooding problems from Massachusetts down to Virginia have largely been taken care of through beach nourishment. The places that the flooding is coming from are the back bays. The State is looking for new opportunities to figure out flooding issues from the back bay perspective and are looking for wave break projects such as Seal Island. It probably won’t happen tomorrow or even next year, but start the discussions with the State now.
 - Richard Benn – 1306 Bunting – He asked whether the sea level rise study done in 2009 – 2010 event which effected this area 3 – 4 inches of sea level rise taken into account? Mr. Gulbranson said he would look into it as the engineer who did the study was not in attendance. Mr. Benn asked about silting in the back bays. Mr. Gulbranson stated that silting was not part of the study, but was discussed.
 - Mike Quinn – 5 W. Houston – He asked whether the base flood elevation (BFE) was linked to sea level rise (SLR)? Mr. Gulbranson stated the BFE is based on current flooding scenarios, it doesn’t factor in SLR. Susan Love stated that FEMA has to remap the areas before the BFE changes. BFE is set through a series of modeling that’s done when FEMA updates the flood insurance rate maps.
 - Lynn Andrews – 1205 N. Schulz asked if there is money for studies, is there money to dredge the canals. Susan Love stated that the Town would have to contact the State and express a desire for dredging. It has to be funded through legislature. One needs to have a conversation with the dredge section in the Division of the Watershed Stewardship and ask what the possibilities would be.
 - Mr. Gulbranson stated that if one has any questions on the study to let Town Manager Burke know and they will be addressed.
 - Town Manager Burke thanked Susan Love for coming and Town Council for approving the grants which started the conversation. The timeline for the grant is March 13, 2015. Mayor Serio asked Lynn Andrews to contact/advise the president of the Fenwick Island Yacht Club to give Town Manager Burke a call with the information in reference to Seal Island so that can be included.
- 2015 Beach Concession Bid – Town Manager Burke – the Town published the Bid for the State Line Beach Concession. The past two years, Go Melvo, Inc., sold snowballs on state line beach, for which the Town received approval from the State of Delaware. The deadline was February 20th, 2015. The Town received two bids, one from Go Melvo, Inc. for \$12,500.00; and a second bid from Matt Griffin, owner of Mateo’s for \$6,178.00. Town Manager Burke made the recommendation to council to award the contract to Go Melvo, Inc. for 2 years with 2 one-year extensions at \$12,500 per year.

Motion: Motion made to accept the bid from Go Melvo for 2 years with a maximum of 4 years at \$12,500 per year – Council Member Tingle

Second: Council Member Langan

Discussion: none

Vote: (7-0)

- Beach Signage Proposals – Town Manager Burke – solicited proposals and received four responses for new beach signage. The bid was for 14 48x48 signs. The low bid was from Ad Art for \$4,200.00. The signs will be the same material as the sign in Cannon Street Park. Town Manager Burke made recommendations to council to accept the bid from Ad Art for \$4,200.00.

Motion: Motion made to accept Ad Art's Bid for \$4,200.00 to make the 14 48x48 signs.

Second: Council Member Langan

Discussion: none

Vote: (7-0)

- Town Telephone System – Town Manager Burke stated the Town requested bids seeking vendors that provided VoIP Service. The Town received one bid from Delmarva VoIP LLC which was presented to the Technology Committee. The Committee's recommendation was not to go with the VoIP System, but instead just go with replacement of the current hardware rather than replacing the whole system. Town Manager Burke will solicit for bids on replacing/updating the current equipment for under \$10,000 and have new equipment before the Memorial Day Holiday.
- Delaware Inland Bays Oyster Aquaculture Program – Mayor Serio – stated that she personally had received phone calls as well as others in the Town in reference to this program. The Town was not approached, but it was brought up in one of the meetings. Council Member Smallwood stated that he brought this to the council's attention last fall and presented the map where they were going to put the oyster floats. Mayor Serio said the idea seemed to make sense, but now it appears that it's going to impact residents and businesses.

Motion: Motion made to instruct Town Manager Burke to send letters to the appropriate people at State level concerning the Oyster Aquaculture Program – Council Member Tingle

Second: Council Member Smallwood

Discussion: Council Member Smallwood stated that he would send a template with all the bullet points needed to be address in the letter.

Vote: (6-1) – Council Member Bunting stated that he didn't feel there was adequate information to say one way or the other.

- Beach Wedding Application – Town Manager Burke – A Special Events Permit request for a beach wedding on September 12, 2015. The Town has a wedding ceremony policy, special events policy and special events application. Mr. Smucker has submitted his application along with his permit fee and deposit. In addition he is requesting approval of 225 guests /chairs on the beach, a wedding arbor, small sound system and a wedding time of 4:00 p.m. with setup time of 3:30 p.m. Town Manager Burke reviewed the application with Chief of Police and Beach Patrol Captain for concerns/issues. Chief of Police will bring in another officer for crowd and traffic control according to policy and Beach Patrol Captain stated that it's the end of the season and doesn't foresee any crowd issues. There will be 8 – 12 guards on the beach if wheelchair assistance is needed.

Motion – Motion made to approve the Special Events Permit for the Smucker Wedding on September 12, 2015, at 4:00 pm – Council Member Tingle

Second – Council Member Bunting

Discussion – Council Member Weistling stated that he's not so much against, it but the Town needs to change the policy if it is to be allowed. First, on the Special Events Permit, weddings are not allowed when lifeguards are on duty. It also states no chairs or speakers on the beach. Town Manager Burke stated a Special Event permit may not be issued to parties larger than 75 attendees without review and approval of the Town. Additional application fees are required upon approval.

Vote – (6-1) – Council Member Weistling voted no. Wedding approved for September 12, 2015.

Motion – Motion made to approve the Minutes of January 23, 2015 - Council Member Weistling

Second – Council Member Bunting

Discussion – none

Vote – (6-0) – Council Member Williams abstained

TREASURER'S REPORT

Council Member Bunting reported:

Ending Reserve Balance \$2,715,974.28

FY 2015 Operating Budget (through January 2015, 50% of fiscal year)

- 88.6% of Income
- 50.5% of Expenses

FY 2014 Capital Budget

- Majority of capital improvements items purchased.

Realty Transfer Tax (1.5%)

- \$245,805 (since August 1, 2014)

Outstanding Taxes and Fees

- Approximately \$9,280 including late fees (FY14 and FY15)

Public Safety Building Debt

- \$0 remaining; paid off 1/29/2015

** All financial data is from the period ending January 31, 2015*

Motion – Motion made to accept the Treasurer's Report - Council Member Langan

Second – Council Member Smallwood

Discussion – none

Vote – (7-0)

TOWN MANAGER'S REPORT

Projects

- **FY 2016 Financial Plan**
- **Personnel**
 - Town management continues to receive resumes for the Administrative Clerk position. The new hire will start no later than May 1, 2015.
 - Police Clerk Hudson notified Chief Boyden that she is interested in returning for the 2015 summer season.
- **Cannon Street Sidewalk (phase 2)**
 - Clean Cut Pavers is scheduled to complete the project by March 31.
- **2015 Bids**
 - Town management recommended that council award contracts for the Beach Concession Bid and for Beach Signage Bid.

Grant Application Funding (approved)

- **DNREC Coastal Programs Grant (\$10,000, 50% Town of Fenwick match)**
 - AECOM (formerly URS) presented the Sea Level Rise Vulnerability Assessment.
- **2014 DNREC Surface Water Matching Planning Grant (\$22,000, 50% Town of Fenwick match)**
 - AECOM is in the process of finishing the construction plans and will solicit bids in local newspapers by March 15.
- **2015 DNREC Surface Water Matching Planning Grant (\$13,000, 50% Town of Fenwick Island match)**
 - AECOM has commenced work on construction plans for improving drainage from McWilliams to Wright Street along W. Dagsboro Street.
- **American Lung Association Grant (no match)**
 - Management is in the process of purchasing additional cigarette receptacles and a redesigned tobacco prevention rack cards for public outreach events (Fenwick Flicks and Town Bonfire).

Meetings and Workshops attended:

- January 28 BBVFD monthly meeting at South Bethany Town Hall
- January 30 DNREC Beach Regulation meeting in Lewes, DE
- February 4 SCAT monthly dinner meeting at Cheer Center, Georgetown, DE
- February 12 City Manager's Association meeting in Dover, DE
- February 20 Valor Awards luncheon at Bayside, Fenwick Island, DE

DEPARTMENT REPORTS

- **Building Official** – The January Building Report was included in the Council meeting packet. At the end of January the Town had received 33 rental renewals, 73 outside contractor license renewals and 19 resident merchant renewals. In addition, 6 building permits were issued in January.
- **Public Works** – The monthly report was included in the Council meeting packet.
- **Beach Patrol** – none
- **Police Department** – The monthly report was included in the Council meeting packet.

TOWN COMMITTEE REPORTS

- **Charter & Ordinance** – Council Member Weistling stated that the March 3rd meeting has been cancelled.
- **Beach Committee** – none
- **Environmental Committee** – Next meeting will be in April. Date to be determined.
- **Technology Committee** – Council Member Langan said next meeting will be in May. Committee is looking for new projects.
- **Business Development Committee** – Had poor attendance due to the weather. Committee will be sending out postcards to businesses for ideas. Next meeting will be March 19, 2015, at 2:00 p.m.
- **Planning Commission** – none
- **Old Business** – none
- **New Business** – Council Member Weistling asked Public Works Supervisor Reed and Town Manager Burke if they knew of anyone who would shovel driveways for people who were physically unable to do this. Public Works Supervisor Reed stated that he had several people he could contact for assistance. Council Member Smallwood asked if the Town had any correspondence from the Bank of Ocean City in reference to the vacant lot they purchased. He is concerned about parking issues with Ropewalk with the coming season. Town Manager Burke stated that he has heard nothing at present but will check into it.

• PUBLIC PARTICIPATION

- Vicki Carmean – 38 Ebb Tide Cove – would like to go back to page 2 of the public hand out, specification for the beach signage. She made suggestions of reorganization of wording. Also, asked if the wooden signs would be available to the residents. Town Manager Burke stated that all the signs are currently in the Public Works Building. Mayor Serio said she would have to check on the legality of any issues before selling the signs. Town Manager Burke stated that the aluminum signs are still in great shape and will be kept for backup. Public Works Supervisor Reed stated that there are 13 – 14 wooden signs.
- Lynn Andrews – 1205 N. Schulz – Asked about the signage bid vendors. Stated she was glad to hear that one of the vendors was a resident of the Town. Mentioned that we also have a resident in Town with a landscaping business and would like to have them considered for the median landscaping work.

UPCOMING MEETINGS AND EVENTS

Council Member Serio announced the following upcoming meetings and events as follows:

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|-------------|------------|--|
| a. March 11 | 10:00 a.m. | Ad hoc Parks Committee Meeting |
| b. March 19 | 2:00 p.m. | Business Development Committee Meeting |
| c. March 27 | 3:30 p.m. | Town Council Meeting - Cancelled |

Motion to adjourn – Council Member Weistling
Second – Council Member Bunting

Approved
April 24, 2015

Discussion – none

Vote – (7-0)

Meeting adjourned at 5:00 p.m.

**Transcribed by Linda Poole, Town Clerk
for Council Member Diane Tingle, Secretary*